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11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13

14 PSI CORPORATION (f/k/a/ FRIENDLYWAY
15 CORPORATION, f/k/a BIOFARM, INC.),

16 Plaintiff,

17 vs.

18 ALEXANDER VON WELCZEK,
19 HENRY LO, MICHAEL DRAPER,
20 and FRIENDLYWAY AG,

21 Defendants.

22 FRIENDLYWAY, INC., KARL
23 JOHANNSMIEIER, PACIFIC CAPSOURCE,
24 INC., and DERMA PLUS, INC.,

25 Nominal Defendants.
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Case No. C 07-02869 SBA

PROOF OF SERVICE OF SUMMONS
[Defendant Pacific Capsource, Inc.]

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POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): DANIEL D. HARSHAMN, ESQ. COZEN O' CONNOR 425 CALIFORNIA STREET, SUITE 2400 SAN FRANCISCO, CALIFORNIA 94104-2215 TELEPHONE NO.: (415) 617-6100 FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF EL PASO STREET ADDRESS: 450 GOLDEN GATE AVENUE MAILING ADDRESS: SAME CITY AND ZIP CODE: SAN FRANCISCO, CALIFORNIA 94102 BRANCH NAME:	
PLAINTIFF/PETITIONER: PSI CORPORATION DEFENDANT/RESPONDENT: ALEXANDER WELCZEK	CASE NUMBER: C072869
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.:

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☐ summons
 - b. ☐ complaint
 - c. ☐ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): **SEE ATTACHED PAGE**
3. a. Party served (specify name of party as shown on documents served):
PACIFIC CAPSOURCE, INC.
- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served:
1110 SALEM ROSE COURT LAS VEGAS, NV 89144
5. I served the party (check proper box)
 - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **6-11-07** (2) at (time): **7:09 PM**
 - b. ☐ **by substituted service.** On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☒ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

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PLAINTIFF/PETITIONER: PSI CORPORATION	CASE NUMBER:
DEFENDANT/RESPONDENT: ALEXANDER WELCZEK	C072869

5. c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means** (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input checked="" type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input type="checkbox"/> other: |

7. **Person who served papers**

- a. Name: CHANDRA ELLIS/LEGAL WINGS
- b. Address: 1118 FREMONT STREET LAS VEGAS, NV 89101
- c. Telephone number: (702) 384-0305
- d. **The fee** for service was: \$
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ a registered California process server:
- (i) ☐ owner ☒ employee ☐ independent contractor.
- (ii) Registration No.: 389
- (iii) County: CLARK

8. ☒ **I declare** under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ **I am a California sheriff or marshal** and I certify that the foregoing is true and correct.

Date: 6-14-07

CHANDRA ELLIS

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)


(SIGNATURE)

ATTACHMENT

- SUMMONS IN A CIVIL CASE
- COMPLAINT
- CIVIL COVER SHEET
- NOTICE OF ASSIGNMENT OF CASE A UNITED STATES
MAGISTRATE JUDGE FOR TRIAL
- (BLANK) CONSENT TO PROCEED BEFORE A UNITED
STATES MAGISTRATE JUDGE
- (BLANK) DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT
TO A UNITED STATES DISTRICT JUDGE
- ORDER SETTING INITIAL CASE MANAGEMENT
CONFERENCE AND ADR DEADLINES
- STANDING ORDER
- (BLANK) STANDING ORDER RE CASE MANAGEMENT
CONFERENCE
- STANDING ORDER FOR ALL JUDGES OF THE NORTHERN
DISTRICT OF CALIFORNIA, CONTENTS OF JOINT CASE
MANAGEMENT STATEMENT
- REASSIGNMENT ORDER